

AN ACT

relating to the procedure for ordering medical or dental services for certain persons admitted to or committed to care at certain state facilities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 551.041, Health and Safety Code, is amended by amending Subsection (c) and adding Subsection (e) to read as follows:

(c) If a department requests consent to perform medical or dental treatment or services from a person or the guardian of the person whose consent is considered necessary and a reply is not obtained immediately, or if there is no guardian or responsible relative of the person to whom a request can be made, the superintendent or director of a department facility shall order:

(1) medical treatment or services for the person on the advice and consent of three primary care providers, at least two of whom are physicians licensed by the Texas Medical Board~~[, at least one of whom is primarily engaged in the private practice of medicine]~~; or

(2) dental treatment or services for the person on the advice and consent of two dentists ~~[a dentist]~~ licensed by the State Board of Dental Examiners and of one physician ~~[two physicians]~~ licensed by the Texas Medical Board~~[, at least one of whom is primarily engaged in the private practice of medicine]~~.

1 (e) For purposes of this section, "primary care provider"
2 means a health care professional who provides health care services
3 to a defined population of residents. The term includes a physician
4 licensed by the Texas Medical Board, an advanced practice
5 registered nurse licensed by the Texas Board of Nursing, and a
6 physician assistant licensed by the Texas Physician Assistant
7 Board.

8 SECTION 2. The changes in law made by this Act apply only to
9 a medical or dental procedure performed on or after the effective
10 date of this Act. A medical or dental procedure performed before
11 the effective date of this Act is governed by the law as it existed
12 immediately before the effective date of this Act, and that law is
13 continued in effect for that purpose.

14 SECTION 3. This Act takes effect September 1, 2017.

S.B. No. 1565

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1565 passed the Senate on April 26, 2017, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1565 passed the House on May 19, 2017, by the following vote: Yeas 144, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor